

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Previously Revised May 2, 2023

M&K IMPORTS, LLC,

Plaintiff,

v.

REJUVENEDA MEDICAL GROUP, INC. dba
REGENEVEDA, THOM E. LOBE, PATRICK
D. CROCKER, and CROCKER LAW FIRM
PLLC aka CROCKER & CROCKER,

Defendants.

Case No.: 7:22-cv-02606-VB-PED

**~~PROPOSED~~ REVISED CIVIL CASE DISCOVERY PLAN
AND SCHEDULING ORDER**

This Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel, pursuant to Fed. R. Civ. P. 16 and 26(f):

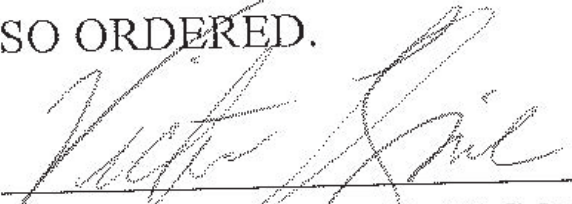
1. All parties do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c).
2. This case is to be tried to a jury.
3. Amended pleadings or joinder of additional parties must be accomplished by June 16, 2023.
4. Initial Disclosures pursuant to Fed. R. Civ. P. 26(a) shall be exchanged on or before October 24, 2022.
5. Fact Discovery
 - a. All fact discovery shall be completed by May 1, 2024.
 - b. Initial requests for production of documents shall be served by November 1, 2022.
 - c. Interrogatories shall be served by November 1, 2022.
 - d. Non-expert depositions shall be completed by April 14, 2024.

- e. Requests to admit shall be served by November 15, 2022.
 - f. Any of the interim deadlines in paragraphs 5(b) through 5(e) may be extended by the written consent of all parties without application to the Court, provided that all fact discovery is completed by the date set forth in paragraph 5(a).
6. Expert Discovery.
- a. All expert discovery, including expert depositions, shall be completed by June 17, 2024. (Absent exceptional circumstances, 45 days from the date in paragraph 5(a); i.e., the completion of all fact discovery).
 - b. Affirmative expert disclosures in chief pursuant to Fed. R. Civ. P. 26(a)(2) shall be made by May 27, 2024.
 - c. Rebuttal expert disclosures pursuant to Fed. R. Civ. P. 26(a)(2) shall be made by June 3, 2024.
 - d. The interim deadlines in paragraphs 6(b) and 6(c) may be extended by the written consent of all parties without application to the Court, provided that all expert discovery is completed by the date set forth in paragraph 6(a).
7. Additional provisions agreed upon by the parties are attached hereto and made part hereof.
8. **ALL DISCOVERY SHALL BE COMPLETED BY July 1, 2024.** (Absent exceptional circumstances, a period not to exceed 6 months from date of this Order).
9. Any motions and applications shall be governed by the Court's Individual Practices, including the requirement of a pre-motion conference before a motion for summary judgment is filed.
10. Unless otherwise ordered by the Court, within 30 days after the date for the completion of discovery, or, if a dispositive motion has been filed, within 30 days after a decision on the motion, the parties shall submit to the Court for its approval a Joint Pretrial Order prepared in accordance with the Court's Individual Practices. The parties shall also comply with the Court's Individual Practices with respect to the filing of other required pretrial documents.
11. The parties have conferred and their present best estimate of the length of trial is 4-5 trial days.
12. This Civil Case Discovery Plan and Scheduling Order may not be modified or the dates herein extended without leave of Court or the assigned Magistrate Judge acting under a specific order of reference (except as provided in paragraphs 5(f) or 6(d) above).

13. The Magistrate Judge assigned to this case is the Hon. Victoria Reznik.
14. If, after entry of this Order, the parties consent to trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith.
15. The next case management conference is scheduled for _____, at _____.
16. Counsel shall discuss settlement in good faith. By no later than _____ counsel shall submit a joint letter regarding the status of their settlement discussions and indicating whether there is anything the Court can do to assist in that regard. (The Court will set this date at the initial conference).

Dated: 1/2/24
White Plains, New York

SO ORDERED.



Hon. Victoria Reznik, U.S.M.J.